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Appl. No. 10/642,413
Reply to 07/14/2005 Non-Final Office ActionLaw Office of Duncan Palmatier
Atty Dkt: Huang/Raised PortionREMARKS

In the July 14, 2005 Non-Final Office Action, the Examiner rejected the two independent claims 1 and 12 under 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 5,735,699 to Tan ("Tan"). See July 14, 2005 Non-Final Office Action ("7/14/05 OA"), at 2-3. The Examiner also rejected independent claims 1 and 12 under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 4,704,091 to Owens et al. ("Owens"). Id., at 3-4. All the dependent claims were rejected under 35 U.S.C. §103(a), as being unpatentable over Owens in view of a variety of other patents.

Applicant appealed the 7/14/05 OA to the Board of Patent Appeals and Interferences ("BPAI"). See *Ex parte Huang, Appeal No. 2006-2187*. On January 31, 2007, the BPAI issued its Decision on Appeal ("Decision"). In its Decision, the BPAI overturned the Examiner's rejection based on the Tan reference. See *Decision*, at 5. The BPAI affirmed the rejections based on the Owens reference. Id., at 5-11. The BPAI rejected Applicant's argument that the claims overcame the "later manufacturing step" problem of the prior art, because the claims did not include language of such a "later manufacturing step" limitation nor of how many steps were required to form the claimed surfaces. Id., at 7. The BPAI concluded that independent claims 1 and 12 included

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neither limitations relating to the time period during which surfaces are formed nor distinctions between the materials of which the surfaces are formed:

We find no temporal limitation as to the time of being "formed" or limitation that the surfaces are made of the same material so as to distinguish over the Examiner's reasonable claim interpretation and application of the prior art of Owens.

Id., at 9. The BPAI affirmed the rejections of most of the remaining dependent claims, noting that a "single step process" was not supported by the claim language. Id., at 9-10 (with respect to claims 3 and 14; "we do not find the argument to the single step process to be well supported in the claim language"), at 10 (with respect to claims 1, 3-10, and 15; "we do not find the argument to the single step process or elimination of multi-step processes to be well supported in the claim language"), at 10 (with respect to claims 4, 7, 8, and 15; "the molding of Biche would have suggested that a separate step of molding could be used with Owens"), and at 10-11 (with respect to claims 5, 6, 9, 10, and 11; "Appellant presents the same argument as above that the references do not disclose the claimed structure or process of manufacturing").

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Applicant has amended independent claims 1 and 12 in light of the BPAI's decision. Thus, the claims have been amended to include the limitation that the "material" from which the housing is formed is the same material from which the design surface is formed. Further, the claim has been amended to add the "temporal" limitation that the raised portion, background surface, and design surface are "formed along with the housing". In this way, the claims reflect the limitation that the design surface is formed of the same material as the housing, thereby distinguishing the invention from Owens, which teaches the use of a separate "informative plaque". See Owens, at Abstract ("a final yoke assembly is molded encompassing the ... informational plaque"); see also Col. 1:47-48 ("information plaques molded into the yoke"), Col. 1:59-60 ("a molded contact pin dot information plaque in the yoke"), Col. 3:50-58 ("[i]n forming outer yoke 14, a high grade polymer molding compound flows around and is molded to the inner yoke 12, around color coded alpha-numeric labeling inserts 28a-28n leaving the upper surface of the inserts 28a-28n exposed, around the raised planar informative plaque member 26, and around bottom elongated oval member 36 as illustrated in FIG. 3 also leaving their exterior surfaces exposed"), Col. 4:48-49 (dependent claim 4, "System of claim 1 including information plaque means molded into said outer yoke housing"), and Col.

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4:60-62 (independent claim 4, "c. molding an outer yoke housing incorporating an information plaque and the inner yoke body of step (b)"). Owens' teaching reflects the problem of the prior art disclosed by Huang:

To provide a place for a manufacturer's name or for part identification, the plastic covering 11 of conventional connectors is sometimes molded with a recess 20. In the recess 20, identifying logos, designs, words, or numbers are often formed in the molding process, leaving raised or indented surfaces (not shown) in the plastic covering 11. Or, a label (not shown) can be affixed in the recess 20 after molding. Some designs have a **raised surface design by placing the cable connector 10 or adapter in a second injection mold and adding a second plastic surface 15.** This two-step molding process allows different colors or textures of plastic to be used.

See Huang, ¶ 0007 (emphasis added). In summary, Owens teaches and Huang discloses as prior art a multi-step and multi-material molding process to incorporate an "informational plaque" (Owens) or "raised surface design" (Huang's disclosure of prior art) into a final plastic connector. The amendments to claims 1 and 12 overcome the Examiner's rejection, in light of the Decision of the BPAI, by clarifying the limitation that the claimed design surface is formed along with and of the same material as the housing.

Applicant has added a new independent claim 17 directed to

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the single step method of manufacturing taught by Applicant's invention. This claim recites a "first manufacturing step", which includes the formation, from a single material, of the housing, raised portion, and background and design surfaces, and a "second manufacturing step" of forming a cover, from a "second material", over the housing and around the raised portion. This new claim addresses the manufacturing method to which the Applicant's invention may be directed.

As noted above, the BPAI rejected dependent claims 3-10 and 14-15 based upon the lack of limitation as to "time of being 'formed' or limitation that the surfaces are made of the same material". See Decision, at 9. The amendments to independent claims 1 and 12, as well as the new independent claim 17, address these issues.

In light of these amendments, the Applicant respectfully submits that independent claims 1, 12 and 17, along with dependent claims 3-10 and 14-15, are in a condition for allowance.

The BPAI affirmed the Examiner's rejection of dependent claims 11 and 16, which claim a "gripping surface", citing lack of claimed structure. See Decision, at 11. These claims have been amended to clarify that the claimed "gripping surface" is formed of the same material and at the same time as the housing,

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raised portion and background and design surfaces. Also, these claims were amended to add the limitation that the gripping surface comprised "ridges", thereby identifying structure. In light of these amendments, the Applicant respectfully submits that dependent claims 11 and 16 are in a condition for allowance.

CONCLUSION

For the reasons set forth above, the Applicant respectfully requests that the claims be allowed.

Respectfully submitted,


Duncan Palmatier
(Reg. No. 40,759)
Law Office of Duncan Palmatier
530 South Asbury, Suite 5
Moscow, Idaho 83843
Tel: (208) 892-2962
Fax: (208) 892-3853
Email: dpalm@dpalmlaw.com